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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Erik J. Shahoian Art Unit : 2674
Serial No. : 09/608,130 Examiner : Lesperance, Jean E.
Filed : June 30, 2000
For : Moving Magnet Actuator for Providing Haptic Feedback

Box NON-FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

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NOV 14 2002

Technology Center 2600

RESPONSE

Sir:

This paper is filed in response to the to the Office Action mailed August 8, 2002.

REMARKS

Examiner states that the application has been filed in with informal drawings, which are suitable for examination. Applicant plans to submit formal drawings upon issuance of a Notice of Allowance.

Claims 1-23 are pending in the application. In the Office Action, all claims were rejected as being unpatentable under 35 U.S.C. § 102(b) over U.S. Patent No. 6,259,382 to Rosenberg (hereinafter "Rosenberg"). Applicant respectfully traverses the Examiner's rejections. Reconsideration of the present is respectfully requested in view of the following remarks.

According to MPEP § 706.02(a), "If the publication or issue date of the reference is more than 1 year prior to the effective filing date of the application (MPEP § 706.02), the reference qualifies as prior art under 35 U.S.C. 102(b)." Rosenberg issued on July 10, 2001, more than one year subsequent to the filing date of Applicant's patent application. Therefore, Rosenberg does not qualify as prior art under 35 U.S.C. 102(b), and Applicant respectfully requests that the Examiner remove the rejection of claims 1-23.

The Office Action cited references on the attached Notice of References Cited, which were not made of record and not relied upon. Applicant respectfully traverses the relevance of